

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

BENEZET CONSULTING , LLC; and,	:	
TRENTON POOL	:	
	:	
PLAINTIFFS,	:	CIVIL ACTION
	:	
vs.	:	No. 1:16-CV-00074
	:	Hon. Yvette Kane
	:	
PEDRO A. CORTÉS, in his official capacity	:	
as the Secretary of the Commonwealth of	:	
Pennsylvania; and JONATHAN MARKS,	:	FIRST NOTICE OF
in his official capacity as Commissioner,	:	SUPPLEMENTAL
of the Bureau of Commissions, Elections and	:	AUTHORITY
Legislation	:	
	:	
DEFENDANTS.	:	

PLAINTIFFS’ FIRST NOTICE OF SUPPLEMENTAL AUTHORITY
PURSUANT TO LOCAL RULE 7.36

On April 19, 2018, the U.S. Court of Appeals for the Third Circuit issued a non-precedential opinion in *Wilmoth et al. v. Secretary of the State of New Jersey*, appeal #17-1925, reversing and remanding the New Jersey District Court’s dismissal of Plaintiffs’ complaint challenging the constitutionality of New Jersey’s residency requirement for petition circulators working for Republican and Democratic primary candidates. The Court instructed that strict scrutiny applies and the record must establish the state’s interest against “party raiding” is real, not conjectural, and the challenged restrictions materially alleviate the alleged harms.

The mandate was issued on May 11th.

Dated: May 17, 2018

/s/ Paul Rossi

Paul A. Rossi

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